

SECRET

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

(01) DESEAN LYNN FRANKLIN,
[DOB: 10-27-2000]

(02) RAIMAIYA L. TYSON,
[DOB 9-27-2000]

and

(03) JOSEPH M. JOHNSON,
[DOB: 10-12-1985]

Defendants.

No. 23-03129-01/03-CR-S-BP

COUNTS 1, 2 and 4

18 U.S.C. § 933(a)(1)
18 U.S.C. § 933(a)(2)
18 U.S.C. § 933(a)(3)
18 U.S.C. § 933(b)
NMT 15 Years Imprisonment
NMT \$250,000 Fine
NMT 3 Years Supervised Release
Class C Felony

COUNTS 3 and 5

18 U.S.C. §§ 922(a)(6) and 924(a)(2)
NMT 10 Years Imprisonment
NMT \$250,000 Fine
NMT 3 Years Supervised Release
Class C Felony

COUNT 6

18 U.S.C. §§ 922(n) and 924(a)(1)(D)
NMT 5 Years Imprisonment
NMT \$250,000 Fine
NMT 3 Years Supervised Release
Class D Felony

\$100 Special Assessment (Each Count of
Conviction)

Defendants/Counts

(01) Franklin: 1 and 6
(02) Tyson: 1, 2, and 3
(03) Johnson: 1, 4, and 5

INDICTMENT

THE GRAND JURY CHARGES THAT:

At all times relevant to this Indictment:

COUNT 1 (Conspiracy to Traffick in Firearms) 18 U.S.C. § 933(a)(3)

Introduction and Background

1. The defendant, **(01) DESEAN LYNN FRANKLIN**, was a resident of Springfield, Missouri. On or about April 3, 2023, in Caddo County, Oklahoma, **FRANKLIN** was arrested for and charged with possession of a controlled drug with intent to distribute and possession of a firearm during the commission of a felony, both crimes punishable by imprisonment for terms exceeding one year. On April 4, 2023, **FRANKLIN** had his initial appearance in Caddo County, Oklahoma Court in case number CF-2023-00057. On April 5, 2023, **FRANKLIN** was released on bond.

2. The defendant, **(02) RAIMAIYA L. TYSON**, resided with **FRANKLIN** in Springfield, Missouri. **TYSON** was present at **FRANKLIN**'s April 3, 2023, arrest in Caddo County, Oklahoma. On or about June 9, 2023, **TYSON** was arraigned in Henry County, Missouri, Circuit Court in case number 23HE-CR001166, for possession of a controlled substance and unlawful use of a weapon both crimes punishable by imprisonment for terms exceeding one year. **TYSON** was released on bond in that case on June 9, 2023.

3. Title 18, United States Code, Section 922(n) makes it a felony crime for any person who is under indictment for a crime punishable by imprisonment for a term exceeding one year to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

4. The defendant, **(03) JOSEPH M. JOHNSON**, resided in Springfield, Missouri, and associated with **FRANKLIN**, and **TYSON**.

5. **FRANKLIN**, **TYSON**, and **JOHNSON** are associated with “Only Da Brothers” (ODB).

COUNT 1
(Conspiracy to Traffick in Firearms)
18 U.S.C. § 933(a)(3)

6. Between August 12, 2023, and August 31, 2023, said dates being approximate, within Greene County, in the Western District of Missouri, and elsewhere, the defendants, **(01) DESEAN LYNN FRANKLIN**, **(02) RAIMAIYA L. TYSON**, and **(03) JOSEPH M. JOHNSON**, knowingly and intentionally combined, conspired, and agreed with each other and others, known and unknown, to knowingly receive from another person any firearm in or otherwise affecting interstate or foreign commerce, if the recipient knows or has reasonable cause to believe that such receipt would constitute a felony, contrary to the provisions of Title 18, United States Code, Section 933(a)(2).

Manner and Means

7. The members of the conspiracy used various manner and means to effect the objects and purposes of the conspiracy, including but not limited to the following:

8. It was part of the conspiracy that on August 12, 2023, **FRANKLIN** and **TYSON** drove to the RK Gun Show in Springfield, Missouri, in **TYSON**’s Dodge Charger.

9. It was part of the conspiracy that on August 12, 2023, **TYSON** attempted to purchase a Draco pistol from a dealer at the RK Gun Show. **TYSON** was unable to purchase the firearm because of her pending felony case in Henry County, Missouri.

10. It was part of the conspiracy that on August 12, 2023, **FRANKLIN** and **TYSON** departed the RK Gun Show in **TYSON**'s Dodge Charger.

11. It was a part of the conspiracy that on August 12, 2023, **FRANKLIN** and **TYSON** returned to the RK Gun Show with **JOHNSON**.

12. It was part of the conspiracy that on August 12, 2023, **JOHNSON** purchased a Romarm, Micro Draco, 7.62 caliber, semi-automatic pistol, serial number 23PMD-39804, from a dealer at the RK Gun Show.

13. It was part of the conspiracy that **JOHNSON** disposed of the Romarm, Micro Draco, 7.62 caliber, semi-automatic pistol, serial number 23PMD-39804 by providing it to **FRANKLIN**.

14. It as part of the conspiracy that on August 31, 2023, the Romarm, Micro Draco, 7.62 caliber, semi-automatic pistol, serial number 23PMD-39804, was seized from **FRANKLIN**. **TYSON** arrived at the location of the car stop that resulted in the seizure of this firearm from **FRANKLIN** and falsely claimed ownership of the firearm.

15. All in violation of Title 18, United States Code, Section 933(a)(3) and (b).

COUNT 2
(Attempt to Traffick in Firearms)
18 U.S.C. §§ 933(a)(1) and (a)(3)

16. On or about August 12, 2023, within Greene County, in the Western District of Missouri, and elsewhere, the defendant, **(02) RAIMAIYA L. TYSON**, knowing and having reasonable cause to believe that the use, carrying, and possession of a firearm by **(01) DESEAN LYNN FRANKLIN** would constitute a felony, knowingly and intentionally attempted to ship, transport, transfer, cause to be transported, and otherwise dispose of a firearm, that is, a Draco

pistol, contrary to the provisions of Title 18, United States Code, Section 933(a)(1), all in violation of Title 18, United States Code, Section 933(a)(3) and (b).

COUNT 3
(False Statement during the Purchase of a Firearm)
18 U.S.C. § 922(a)(6)

17. On or about August 12, 2023, within Greene County, in the Western District of Missouri, the defendant, **(02) RAIMAIYA L. TYSON**, in connection with the attempted acquisition of a firearm, a Draco firearm, from a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement, to a licensed dealer of firearms, which statement was intended and likely to deceive a licensed dealer of firearms, as to a fact material to the lawfulness of such acquisition of the said firearm to the defendant under chapter 44 of Title 18, in that the defendant did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, to the effect that that she not under indictment or information in any court for a felony, or any other crime for which the judge could imprison her for more than one year, when in fact as the defendant then knew, she was under indictment or information in any court for a felony or any other crime for which the judge could imprison her for more than one year, all in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 4
(Trafficking in Firearms)
18 U.S.C. § 933(a)(1)

18. On or about August 12, 2023, within Greene County, in the Western District of Missouri, and elsewhere, the defendant, **(03) JOSEPH M. JOHNSON**, knowing and having reasonable cause to believe that the use, carrying, and possession of a firearm by **(01) DESEAN LYNN FRANKLIN** would constitute a felony, knowingly and intentionally shipped, transported,

transferred, caused to be transported, and otherwise disposed of a firearm, that is, a Romarm, Micro Draco, 7.62 caliber, semi-automatic pistol, serial number 23PMD-39804, all in violation of Title 18, United States Code, Section 933(a)(1) and (b).

COUNT 5
(False Statement during the Purchase of a Firearm)
18 U.S.C. § 922(a)(6)

19. On or about August 12, 2023, within Greene County, in the Western District of Missouri, the defendant, **JOSEPH M. JOHNSON**, in connection with the acquisition of a firearm, Romarm, Micro Draco, 7.62 caliber, semi-automatic pistol, bearing serial number 23PMD-39804, from a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to a licensed dealer of firearms, which statement was intended and likely to deceive a licensed dealer of firearms, as to a fact material to the lawfulness of such acquisition of the said firearm to the defendant under chapter 44 of Title 18, in that the defendant did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, to the effect that that he was the actual buyer of the firearms indicated on the Form 4473, when in fact as the defendant then knew, he was not the actual buyer of the firearms, all in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 6
(Illegal Receipt of a Firearm by a Person under Indictment)
18 U.S.C. § 922(n)

20. Between August 12, 2023, and August 31, 2023, said dates being approximate, within Greene County, in the Western District of Missouri, the defendant, **DESEAN LYNN FRANKLIN**, knowing that he was then under indictment for a crime punishable by imprisonment for a term exceeding one year, did willfully receive a firearm, that is, a Romarm, Micro Draco,

7.62 caliber, semi-automatic pistol, bearing serial number 23PMD-39804, which had been shipped and transported in interstate commerce, all in violation of Title 18, United States Code, Section 922(n) and 924(a)(1)(D).

A TRUE BILL.

/s/ Clint Strong
FOREPERSON OF THE GRAND JURY

/s/ Stephanie Wan
STEPHANIE L. WAN
Assistant United States Attorney
Missouri Bar #58918

Dated: 11/14/2023
Springfield, Missouri